REMARKS

I.   STATUS OF THE CLAIMS

Claims 1, 3-11, 13-35 and 41-45 are pending in the present application. Claims 1, 13, 18, 30 and 41 are the independent claims.

Claims 2, 12 and 36-40 have been cancelled without prejudice to or disclaimer of the subject matter recited therein.

Claims 1, 13, 17, 18, 29, 35, 41 and 43-45 have been amended. No new matter is believed to have been added.

II.   THE REJECTION OF CLAIMS 12-15, 29, 35 AND 43-45 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Claims 12-15, 29, 35 and 43-45 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants respectfully traverse this rejection for at least the following reasons.

Claim 12 has been cancelled without prejudice or disclaimer and the subject matter of claim 12 has been incorporated into newly amended independent claim 1. Accordingly, the rejection of claim 12 is moot. However, assuming that the rejection of claim 12 is now applicable to newly amended claim 1, Applicants respectfully traverse this rejection for at least the following reason.

Applicants believe that the limitation "the transmitted cipher text" in line 10 of claim 1 has sufficient antecedent basis. See for example, claim 1, line 6, wherein it is recited "transmitting a cipher text."

With respect to claim 13, Applicants have amended independent claim 13 to provide proper antecedent support for "the second encryption key" in line 3.

With respect to claim 13, Applicants believe that the limitation "the transmitted first encryption key," in line 7, "the transmitted region segmentation information," in line 8, and "the transmitted second encryption key information," in line 10 have sufficient support in the claim. See for example, claim 13, lines 4-6, wherein it is recited "transmits the cipher text, the first encryption key, region segmentation information, and the second encryption key information to a receiver."

With respect to "the second region of the cipher text," in line 11, Applicants have amended claim 13 to correct this minor informality.

With respect to "the extracted second encryption key," in lines 11-12, proper support for such aspect of the invention is provided in line 9, of claim 13, wherein it is recited "extracting the second encryption key."

Accordingly, Applicants respectfully request that the rejection of claim 13 under 35 U.S.C. §112, second paragraph be withdrawn.

Furthermore, Applicants respectfully assert that the rejection of dependent claims 14 and 15 should be withdrawn at least because of their dependence from claim 13, and the reasons set forth above.

With respect to claim 29, Applicants have amended claim 29 to correct the minor informality indicated by the Examiner.

Accordingly, Applicants respectfully request that the rejection of claim 29 under 35 U.S.C. §112, second paragraph be withdrawn.

With respect to claim 35, Applicants have amended claim 35 to correct the minor informality indicated by the Examiner.

Accordingly, Applicants respectfully request that the rejection of claim 35 under 35 U.S.C. §112, second paragraph be withdrawn.

With respect to claim 43-45, Applicants have amended claims 43-45 to correct the minor informalities indicated by the Examiner.

Accordingly, Applicants respectfully request that the rejection of claims 43-45 under 35 U.S.C. §112, second paragraph be withdrawn.

III.   THE REJECTION OF CLAIMS 1, 6, 13-15, 18, 22-23, 30-31 AND 34-35 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER SPELMAN

Applicants respectfully traverse this rejection for at least the following reasons.

Independent claim 1, as amended, recites a copy protection method comprising, amongst other novel aspects, **decrypting** the **first region** of the transmitted cipher text using the transmitted first encryption key and the transmitted region segmentation information; **extracting** the **second encryption key from** the **decrypted first region** using the transmitted information related to the second encryption key; **and decrypting**

9

the **second region** of the transmitted cipher text **using** the **extracted second encryption key**.

Spelman discloses a method of communicating confidential information to a second party, wherein the confidential information also includes information intended for a third party. The method includes, encrypting a first block of information using a key k1; encrypting a second block of information using a key k2; encrypting a third block of information using a key R, wherein the third block of information includes the k1 key; encrypting a fourth block of information using the key R, wherein the fourth block of information includes the k2 key and other information intended for the third party (column 2, lines 13-25).

Spelman further discloses means for decrypting the first part of the message to produce a first decrypted message; means for encrypting at least a portion of the first decrypted message using a second key to produce a re-encrypted third block of information; means for decrypting the second part of the message to produce a decrypted, blinded message; means for re-encrypting the decrypted, blinded message using a third key to produce an re-encrypted/blinded message; and means for sending the re-encrypted third block of information and the re-encrypted/blinded message to the second party (column 3, lines 28-39).

Therefore, although Spelman discloses a decrypting method, the decrypting method taught by Spelman is significantly different from the decrypting method recited in independent claim 1, since Spelman fails to teach or suggest, decrypting the first region of the transmitted cipher text, extracting the second encryption key from the decrypted first region and decrypting the second region using the extracted second encryption key.

Accordingly, Applicants respectfully assert that the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn because Spelman fails to teach or suggest each feature of independent claim 1, as amended.

Furthermore, Applicants respectfully assert that dependent claim 6 is allowable at least because of its dependence from claim 1, and the reasons set forth above.

Independent claim 13, as amended, recites amongst other novel features, **decrypting** the **first region** of the cipher text using the transmitted first encryption key and the transmitted region segmentation information; **extracting** the **second encryption key** from the decrypted first region using the transmitted second encryption key

information; **and decrypting** the **second region** of the text **using the extracted second encryption key**.

As noted above, Spelman fails to teach or suggest a method of decrypting a first region, extracting a second encryption key from the decrypted first region and decrypting the second region using the extracted second encryption key.

The Office Action also recognizes that Spelman fails to teach or suggest such decrypting method but indicates that one of ordinary skill in the art would be able to use Spelman's teachings to also decrypt a message in a manner similar to the claimed invention. Applicants respectfully submit that the reference does not provide such a suggestion or motivation and that the only motivation of the Office Action is found in the Applicants own application. Therefore, since the references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention, Applicants respectfully submit that Spelman fails to teach or suggest the features recited in independent claim 13.

Accordingly, Applicants respectfully assert that the rejection of claim 13 under 35 U.S.C. § 103(a) should be withdrawn because Spelman fails to teach or suggest each feature of independent claim 13.

Furthermore, Applicants respectfully assert that dependent claims 14-15 are allowable at least because of their dependence from claim 13, and the reasons set forth above.

Independent claim 18, as amended, recites, amongst other novel features, a computer readable medium encoded with processing instructions, the method comprising decrypting the first region of the text using the first encryption key; extracting the second encryption key from the decrypted first region; and decrypting the second region of the text using the extracted second encryption key.

As noted above, Spelman fails to teach or suggest such a method of decryption.

Accordingly, Applicants respectfully assert that the rejection of claim 18 under 35 U.S.C. § 103(a) should be withdrawn because Spelman fails to teach or suggest each feature of independent claim 18.

Furthermore, Applicants respectfully assert that dependent claims 22-23 are allowable at least because of their dependence from claim 18, and the reasons set forth above.

Independent claim 30 recites, amongst other novel features, decrypting a first region of the encrypted text using a first encryption key, where the first region contains a second encryption key; decrypting a second region of the encrypted text using the second encryption key.

As noted above, Spelman fails to teach or suggest such a method of decryption.

Accordingly, Applicants respectfully assert that the rejection of claim 30 under 35 U.S.C. § 103(a) should be withdrawn because Spelman fails to teach or suggest each feature of independent claim 30.

Furthermore, Applicants respectfully assert that dependent claims 31 and 34-35 are allowable at least because of their dependence from claim 30, and the reasons set forth above.

IV.   THE REJECTION OF CLAIMS 2, 7-12, 16, 19, 24-29, 32-33 AND 36-45 UNDER 35 U.S.C. §103 (a) AS BEING UNPATENTABLE OVER SPELMAN IN VIEW OF LYNN

Applicants respectfully traverse this rejection for at least the following reasons.

Claims 2 and 12 have been cancelled without prejudice or disclaimer. Accordingly, the rejection of claims 2 and 12 is moot.

Claims 7-11 and 16 depend upon independent claim 1 and as noted above, Spelman fails to teach or suggest the features recited in independent claim 1.

Lynn discloses a method and apparatus for varying the computational overhead associated with encrypting and decrypting digital data signals by selectively reusing, according to the desired level of security, a pseudorandom encoding sequence at the transmitter end and by storing and reusing pseudorandom decoding sequences at the received end (column 1, lines 8-15).

Accordingly, Lynn also fails to teach or suggest the features recited in independent claim 1.

Accordingly, Applicants respectfully assert that the rejection of claims 7-11 and 16 under 35 U.S.C. §103(a) should be withdrawn because neither Spelman nor Lynn, whether taken singly or combined teach or suggest each feature of independent claim 1 upon which claims 7-11 and 16 depend from.

Claims 19 and 24-29 depend upon independent claim 18 and as noted above,

Spelman fails to teach or suggest the features recited in independent claim 18 and Lynn fails to cure the deficiencies of Spelman.

Accordingly, Applicants respectfully assert that the rejection of claims 19 and 24-29 under 35 U.S.C. §103(a) should be withdrawn because neither Spelman nor Lynn, whether taken singly or combined teach or suggest each feature of independent claim 18, upon which claims 19 and 24-29 depend from.

Claims 32 and 33 depend upon independent claim 30 and as noted above, neither Spelman nor Lynn teach or suggest the features recited in independent claim 30.

Accordingly, Applicants respectfully assert that the rejection of claims 32 and 33 under 35 U.S.C. §103(a) should be withdrawn because neither Spelman nor Lynn, whether taken singly or combined teach or suggest each feature of independent claim 30, upon which claims 32 and 33 depend from.

Claims 36-40 have been cancelled without prejudice or disclaimer. Accordingly, the rejection of these claims is moot.

Independent claim 41 recites, amongst other novel features, a receiver for receiving encrypted text, comprising amongst other novel features, a decryptor to decrypt a portion of the encrypted text using the first encryption key, to extract the second encryption key from the decrypted portion using the information related to the second encryption key, and to decrypt another portion of the encrypted text using the second encryption key.

As noted above, neither Spelman nor Lynn teach or suggest decrypting a portion of the encrypted text using the first encryption key, to extract the second encryption key from the decrypted portion using the information related to the second encryption key, and to decrypt another portion of the encrypted text using the second encryption key.

Accordingly, Applicants respectfully assert that the rejection of claim 41 under 35 U.S.C. §103(a) should be withdrawn because neither Spelman nor Lynn, whether taken singly or combined teach or suggest each feature of independent claim 41.

Furthermore, Applicants respectfully assert that dependent claims 42-45 are allowable at least because of their dependence from claim 41, and the reasons set forth above.

V.   THE REJECTION OF CLAIMS 3-5 AND 21 UNDER 35 U.S.C. §103 (a) AS BEING
      UNPATENTABLE OVER <u>SPELMAN</u> IN VIEW OF <u>SEHEIDT</u>

Claims 3-5 depend upon independent claim 1 and as noted above, <u>Spelman</u> fails to teach or suggest the features recited in independent claim 1.

<u>Seheidt</u> teaches a system for secure communication of a message from a transmitting user to a receiving user using a split key scheme (abstract).

<u>Seheidt</u> fails to teach or suggest a decrypting method as the one recited in independent claim 1.

Accordingly, <u>Seheidt</u> fails to cure the deficiencies of <u>Spelman</u>.

Accordingly, Applicants respectfully assert that the rejection of claim 3-5 under 35 U.S.C. §103(a) should be withdrawn because neither <u>Spelman</u> nor <u>Seheidt</u>, whether taken singly or combined teach or suggest each feature of independent claim 1, upon which claims 3-5 depend from.

Claim 21 depends upon independent claim 18. As noted above, <u>Spelman</u> fails to teach of suggest the features recited in independent claim 18. <u>Seheidt</u> fails to cure the deficiencies of <u>Spelman</u>.

Accordingly, Applicants respectfully assert that the rejection of claim 21 under 35 U.S.C. §103(a) should be withdrawn because neither <u>Spelman</u> nor <u>Seheidt</u>, whether taken singly or combined teach or suggest each feature of independent claim 1, upon which claim 21 depends from.

VI.   THE REJECTION OF CLAIM 17 UNDER 35 U.S.C. §103 (a) AS BEING
      UNPATENTABLE OVER <u>SPELMAN</u> IN VIEW OF <u>SEHEIDT</u> AND <u>GANESAN</u>

Claim 17 depends upon independent claim 1. As noted above, <u>Spelman</u> fails to teach of suggest the features recited in independent claim 1. <u>Seheidt</u> fails to cure the deficiencies of <u>Spelman</u>.

<u>Ganesan</u> discloses a method for improving and RSA cryptosystem by generating a user private exponent key, having an associated modulus N, and a user public exponent key for each user of the system (abstract). Therefore, <u>Ganesan</u> fails to teach or suggest a decrypting method as recited in independent claim 1. Accordingly, <u>Ganesan</u> fails to cure the deficiencies of <u>Spelman</u> and <u>Seheidt</u>.

Accordingly, Applicants respectfully assert that the rejection of claim 17 under 35 U.S.C. §103(a) should be withdrawn because neither <u>Spelman</u> nor <u>Seheidt</u> nor <u>Genesan</u>, whether taken singly or combined teach or suggest each feature of independent claim 1, upon which claim 17 depends from.

VII. THE REJECTION OF CLAIM 20 UNDER 35 U.S.C. §103 (a) AS BEING UNPATENTABLE OVER <u>SPELMAN</u> IN VIEW OF <u>LYNN</u>, <u>SEHEIDT</u> AND <u>GANESAN</u>

Claim 20 depends upon independent claim 18. As noted above, neither <u>Spelman</u> nor <u>Lynn</u> nor <u>Seheidt</u> nor <u>Ganesan</u> whether taken singly of combined teach of suggest the features recited in independent claim 18 upon which claim 20 depends from.

Accordingly, Applicants respectfully assert that the rejection of claim 20 under 35 U.S.C. §103(a) should be withdrawn because neither <u>Spelman</u> nor <u>Lynn</u> nor <u>Seheidt</u> nor <u>Genesan</u>, whether taken singly or combined teach or suggest each feature of independent claim 18, upon which claim 20 depends from.

VIII. CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 50-3333.

Respectfully submitted,

STEIN, MCEWEN & BUI LLP

Date: ___3/15/05___

By: _____
Douglas X. Rodriguez
Registration No. 47,269

1400 Eye St. N.W., Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510